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GOVERNANCE FOR THE 1990's

A SUMMARY OF THE PROCEEDINGS OF A TRUSTEES' FORUM

January 1991

ONTARIO PUBLIC SCHOOL BOARDS' ASSOCIATION

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Governance for the 1990's

A Summary of the Proceedings of a Trustees' Forum

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Governance for the 1990's
A Discussion Paper

November 1990

INTRODUCTION

This Paper is not an exhaustive examination of issues of education governance. It is a summary of fact and opinion gathered during a trustees' forum on Governance for the 1990's held on October 19, 1990. It includes the ideas and concerns of presenters and participants. Its purpose is to stimulate discussion amongst trustees at the local level. We hope that such discussions provide the opportunity for OPSBA member boards to enlarge on the scope of this paper as well as offering a stimulus to boards to reflect on their own experience and effectiveness. It should help to set directions for positive change.

THE CONTEXT

The origin for Governance for the 1990's is found in the Third Report of the Select Committee on Education, 1990. That report examined matters of finance but in so doing raised important questions of accountability.

> **27. In consultation with the key partners in education, the Minister should examine the responsibilities and duties of Directors of Education under the Education Act and any other relevant matters in order to clarify and solidify the authority of trustees over board program and financial decisions.**

The reaction to this report was interesting. Some member boards viewed the recommendation as unnecessary and pejorative.

Some trustees viewed the recommendation as timely and useful. The School Board Reform Network used it as the focal point in its organising efforts amongst trustees. The response of Directors of Education ranged from mild concern to outrage, as reflected in the following resolution adopted by a number of public, separate and francophone supervisory officers at a meeting sponsored by OCLEA:

> **"Be it resolved that the Directors of Education attending the Annual Chief Executive Officers' Conference, representing a cross-section of Boards across the province, unanimously state their concern over Recommendation 27 and its comments, on**

> **page 44 of the Third Report of the Select Committee on Education. Specifically, the participating Directors of Education take issue with statements which impugn the (a) credibility, (b) integrity and (c) veracity of Directors and with those who would seek to drive a wedge between trustees and board administration. The Directors of Education in the Province of Ontario recognize that local control over education rests with elected trustees. As Directors, we reaffirm our desire to work with Boards of Trustees in the provision of quality educational programs and services for our students."**

The Ontario Public Supervisory Officers' Association has undertaken initiatives to address concerns but has not adopted a formal response to Recommendation 27.

A discussion of education governance is timely. There is no reason to believe that the growing public unease and cynicism about our political systems and politicians is limited to the provincial and federal parliaments. A number of boards are facing significant opposition from taxpayers and municipalities. While the focus of the opposition is usually the board's budget and tax levy, it is clear that boards are expected to be accountable to the public for the decisions they make. Many trustees share this expectation.

Ontario's laws make school attendance mandatory for all children between the ages of six and sixteen. The election of trustees to school boards gives the community a mechanism for maintaining the legitimacy of the education system within a framework established by the Education Act and its Regulations. In a time of increasing demands of the school system for effective response to social and economic change, and of a growing expectation for public participation in government decision-making, it makes sense to look at how well the governance of education is working.

OPSBA'S INITIATIVES

OPSBA has not responded directly to recommendations of Reports of The Select Committee since such recommendations are not government policy. Instead, it has used the Reports to inform its own submissions to government on a variety of matters - for example, reaction to workgroups on the Restructuring of Education and the development of a process

for reforming education finance. In the case of Recommendation 27, the OPSBA Board of Directors decided to develop a process to examine the issues of governance, accountability, trustee effectiveness and board - administration roles and relationships. To avoid these issues would have increased the possibility of polarisation within OPSBA's membership. OPSBA is committed to the development of strong local boards of education. OPSBA initiatives are set out in Appendix 1.

THE ISSUES

What follows is not a comprehensive examination of all current issues, nor is the range of opinion presented necessarily the total range amongst the boards. The gaps will be filled in by the responses to this summary.

1. Why Recommendation 27?

Richard Johnston, former MPP and member of the Select Committee on Education, indicated in his keynote address that in his work both with the Committee and as Education Critic for the New Democratic Party, issues of local accountability by local governments - in this case, school boards - were a recurring theme. Recommendation 27, calling for a review of the powers of directors of education, has its origin in both "on the record" and "off the record" statements by trustees, boards, and school board staff. Examples of questionable practices led to the conclusion that the arrangements between boards and senior administration do not always support local government's accountablity to the electorate. Such examples included failure to provide trustees with full information about budgets and expenditures, a director of education acting as spokesperson for a school board before a Committee of the Legislature, and the failure of a director to prepare a submission for a board wishing to appear before a Legislative Committee. Johnston also commented on the successful relationships between trustees and directors in many parts of the province, pointing out that these boards and administrations had nothing to fear from an examination of issues of governance. In fact, looking at what makes some boards more successful than others would be helpful to those needing to improve.

Johnston reminded the participants that criticism of the status quo is not necessarily directed at directors of education. Where a vacuum in leadership exists, it will be

filled. Where a poor allocation of responsibility and authority is observed, it is as likely to be caused by the abrogation of responsibility by the board as it is to be by the assumption of power by the administration.

2. Representation and Mandate

The structures for governing education at the local level are complex, reflecting the constitutional protections for Roman Catholics and minority language rights holders. School boards may be composed of majority language public school trustees only, or may also include minority language trustees and/or trustees elected to represent separate school ratepayers where the secondary level has not been extended. In addition, where a board has a tuition agreement with a native band(s) a native trustee may be appointed to the board. Some boards have all of these components. The voting arrangements differ among groups. Although with the exception of native representatives all trustees are elected, the acclamation rates are high. For the last municipal election in 1988, 38.1% of Ontario school trustees were acclaimed to office. Among "ordinary public school trustees, the acclamation rate was 9.8% in the cities and 51.4% in non-city areas". (Whitehead, 1990). The lack of candidates for the position of school trustee prevents the electorate from choosing its representatives and limits the possibility of full public discussion of issues before representatives are elected. Where there are candidates for office, a significantly smaller proportion of those eligible vote for trustees than for councillors, reeves or mayors. The voter participation is often less than 30%.

As a result, the selection process and the school board itself may be seen as less than fully democratic.

Richard Johnston observed the growing demand for those that are affected by government policies to be consulted prior to decision-making. He noted that school boards themselves must become more democratic through the development of mechanisms for consultation with parents, teachers, unions, and community groups, prior to the establishment of policies. This is especially important where the electoral process may not have provided a mandate for trustees.

The following sections summarise discussion of the four groups at the Forum.

3. Challenges to the Corporate Culture of School Boards

What is the Role of the Trustee?

Many trustees reported changed expectations for trustees which can be the source of tensions at the board level. Individual trustees shape their roles from personal expectations and beliefs, the expectations of constituents, especially parents, and the complexity of issues in education. Trustees require a greater knowledge of community values and concerns, as well as greater knowledge of education itself, than in the past. More trustees are seeking election to office on specific mandates and expect to advance particular interests at the board. They sometimes feel that they are resented or shut out by a board which feels no need to change either what it does or how it does it.

Trustees are often ill-prepared for the amount of time that board membership demands. It is no longer possible to confine the work to two evenings a month. People working within the school system expect trustees to know "what is really going on", parents expect assistance in solving problems, as well as trustee participation in parent or community meetings. The expectation that trustees should be able to account for their decisions is growing dramatically.

The debate about whether trustees should be "full- or part-time" is ongoing. Some think that full-time trustees make work and interfere in the administration of the school system. Others perceive a greater need to be available to constituents and the system if they are to be representative. Most believe that trustees need to play an active role in the development of new policies. Relatively few believe that their responsibility is limited to deciding on recommendations proposed by administration.

The matter of "full- verses part-time" is not easily resolved and probably does not need to be. The current framework and practice for the management of school boards, together with the lack of political will or public support for higher levels of remuneration for school trustees, leaves the question of time to be determined by the individual. We should note that if demands for greater investments of time by trustees continue, the office will be open to even smaller numbers of people - those without the need to earn an income.

Some trustees identified a need for boards to explore more effective ways to involve all trustees, regardless of how the individuals define their roles. Concern was expressed that the need for greater participation in committees requires greater involvement of supervisory officers, a resource that is severely limited and often over-extended in small school systems.

Trustees noted that recent and dramatic changes to the local governance of education have affected the climate of some boards. The effect of changes resulting from new trustee distribution requirements and the addition of minority language sections were in some cases not well predicted. Where these changes were not adequately planned for, or the effects not predicted, boards have experienced significant and sometimes damaging conflicts. Trustees often believe that the provincial government has paid too little attention to the practical consequences of legislative changes that affect the structure and functioning of school boards.

Trustees identified the following components to their roles and responsibilities:

- to represent the "public interest"
- to provide a communication link between the community and the school board/system
- to participate in policy making on behalf of the community represented
- to assist constituents in making the "school system work for them"
- to be accountable to constituents in making known and explaining school board decisions, particularly in finance and program areas
- to educate the public concerning education and current issues
- to balance the conflicting interests or values of the community, especially on issues such as AIDS education, religious education, childcare, etc.

The changes observed in the role of the school board and its trustees are reflected in a changing relationship between the board and its administration, in particular, the director of education. Where the changing roles have evolved gradually, trustees often report a high degree of satisfaction in the relationship between boards and administration. Where the

change is seen to have its origin in the election of "a new breed" of trustee, the relationship is sometimes characterised by tension, conflict and a sense of intransigence. Often the board itself is divided in its expectations of the director of education. Sometimes a board achieves its own concensus on roles and responsibilities which are not shared by the Director of Education.

4. Relationship Between the Board and the CEO

What is the ideal Board/Director relationship?

Most trustees defined the preferred relationship in terms of partnership, but one in which the board's role as decision-maker is not abrogated or undermined. Trustees believe that senior administrators must be accountable to their employing boards for the quality of information and advice provided, for the identification of policy options and alternatives, and for the implementation and evaluation of policies and their outcomes. Trustees expect directors of education to be fully knowledgeable of their own school systems and to remain current in their knowledge of new directions in education, personnel and financial management. Trustees observed that the relationship between the board and director of education is influenced by the personal qualities of trustees and directors, and that where such qualities result in conflict, more opportunities for talk in informal settings needs to be made available. Some trustees feel that some directors attempt to "pacify" or "neutralise" them by being inconsistent in the development of relationships and by being selective in their responses to requests for information.

What can trustees do to work toward the ideal?

Failure to clarify roles, responsibilities and expectations may result in adversarial relations, which are rarely helpful. Trustees noted that it is important to regularly review these matters, particularly following municipal elections. The notion that "we've always done it this way" is not conducive to the development of openness and trust between trustees and trustees, or between trustees and administrators.

Some trustees described the goal and priority setting, performance appraisal, program and expenditure review and internal auditing as valuable contributions to accountability and to on-going system improvements. Trustees who had

processes for these activities at their own boards showed a higher level of satisfaction with the relationship between their boards and senior staff. Trustees talked of the need to find ways to empower themselves and welcomed the Trustees' Forum on Governance as one of the few opportunities for trustees to share local experience and explore solutions to problems. The need to include trustees in planning and delivering orientation sessions following elections was noted. Orientation needs to be more than the giving of information about procedures and policies. It was noted that improved trustee skills in speaking, debating, using parliamentary procedure, analysing information, communicating with constituents, and the school system will lead not only to the empowerment of trustees but also to the development of more effective school boards.

A few trustees observed that supervisory officers appreciate weak boards whose role may be limited to the ceremonial and to rubber stamping administrative recommendations. Others believed that most directors of education value local control of education through elected school boards. Still others observed that unless local boards are strengthened, we may risk losing local democratic control entirely.

What can OPSBA do?

The role of OPSBA and its relationship to senior administrators was raised. Some participants felt that as a school boards association, OPSBA should be for trustees only; others noted that a higher level of participation by the supervisory officers reflects the structure of school boards and allows OPSBA greater access to professional resources.

There seems to be general agreement that OPSBA should be more active in providing opportunities for trustee skill development, orientation programs and for the sharing of trustee experiences. It was suggested that OPSBA is the appropriate source of advice to boards on matters such as selection of directors of education, supervisory officer employment contracts and performance appraisal. Others recommended that OPSBA and OPSOA might successfully work together on such matters of common concern.

5. Tools for Decision Making

Trustees clearly understand that it is the school board that is charged with the responsibility for governing its school system within the relevant statutes and regulations. Some noted that little or no effort is made to ensure that board members become familiar with matters of law that govern school boards, employer/employee relations, education finances etc. Some trustees reported that their ignorance of the statutory powers of boards was one method used to control or limit their decision-making. There is sometimes an expectation that newer trustees should simply accept the role in decision making established by boards which preceded them.

Of note in this regard are concerns about the use of private or in camera sessions. While most trustees know that a Committee of the Whole Board can conduct its business in private, some were not aware that such Committees must report to the Board in public session in order to make Board decisions. Some were unaware of the procedures necessary to maintain confidentiality while making decisions public. A number of trustees reported that in their view, the board uses too broad a definition of what should be considered in private. Private sessions are sometimes used to "avoid embarrassment" by silencing opposition that would be apparent to the public in public session.

Do Board structures and procedures help or interfere with effective decision - making?

Trustees recognised the importance of using parliamentary procedure for board decision-making, but reported that little instruction in rules of order or their proper use was available to them.

Some trustees reported lack of the necessary knowledge and skills in using parliamentary procedure so they can be out manoeuvred by more effective trustees. This creates significant conflict and frustration, and contributes to personalities getting in the way of real debate. Boards whose trustees are skilled in the use of procedure reported a positive climate, good decision-making, often high quality debate and satisfaction that all points of view were considered.

Where committees are structured with clear terms of reference, timelines for reporting, and appropriate staff support, trustees reported that their boards are able to manage complex issues in an orderly and sensitive manner. The necessity of selecting committee members from a cross-section of the board was stressed. Some trustees reported that failure to do this meant that committee recommendations were fiercely debated at the board level. Others pointed out that even with good committee work some issues are worthy of board debate since that might be the only opportunity for the public to understand the basis of the board's decision.

Some boards use a committee process that allows for the participation of all trustees. Each receives an agenda and therefore can attend to participate in discussion of issues of particular interest. Trustees familiar with committee work stressed the advantage of a more flexible set of procedures than those necessary for formal board meetings.

A not uncommon complaint concerned the introduction of new matters for decision. Except in exceptional circumstances, trustees believe that they should not have to decide on matters without adequate notice and information.

A number of trustees recommended that boards review their decision-making processes at appropriate intervals to ensure that they are well understood and effective.

It was suggested that OPSBA include skills development workshops in its trustee development programs and identify resources that might assist boards locally.

What should the S.O.'s role be in the board's decision-making process?

Much of the discussion of board decision-making focussed on the role of the director of education and other supervisory officers. Some trustees appreciated that staff prepare well for board and committee meetings, present their recommendations in a clear way with appropriate supporting information and then leave the decision-making to the board. Others were troubled by excessive intervention in the trustees' debate.

Some suggested that this would be avoided if the director of education did not sit at the board table. Others suggested that what is required is a clear understanding of the distinctive roles of the board chair and the director of education. In discussing the importance of consultation with those affected by board decisions, trustees identified the need to anticipate which issues require broadly based consultation and to choose a method of consultation appropriate to the situation. Some trustees appreciated opportunities to meet with school staff and leaders of employee groups. Others said that such activities were discouraged by senior administration. Most valued real knowledge of the schools and community as significant to good decision-making.

Who should control information?

The issue of access to information was the subject of significant attention in discussion groups. Trustees that reported satisfaction with their access to information tended to identify appropriate local procedures, clear understandings of roles and responsibilities, ways of recognising and dealing with frivolous information requests and a collaborative spirit between board and administration. Access to and control of information appeared as a major concern of trustees.

Trustees believe that they must be provided with all information that is appropriate and necessary to the matter in question. Appropriate information is characterised as being timely, in advance of decision-making, unbiased, including historical background, options or alternatives together with their strengths and weaknesses. An issue may require explanation of Ministry of Education policy, statistical analysis, financial implications and an evaluation of current policy or practice. Some felt that administrators become defensive and resistant to the provision of information on matters that are not currently before the board.

A small number of trustees reported that access to information was restricted to that provided voluntarily by administration or that requested by a majority vote of the board. One observed that any ordinary citizen will have better access to information under the Freedom of Information and Protection of Privacy Act then he does as a trustee!

Trustees identified several reasons for limited access to information including workload of supervisory officers; poor internal monitoring or reporting systems so that significant information is not readily available; lack of trust between

trustees and administrators; sensitivity about the use of information and concerns about confidentiality; "losing control" if trustees know too much. Trustees stressed that if these concerns exist then the board and its administration should discuss them and seek effective solutions. Some trustees reported that such problems may not exist for all trustees of a board, only those viewed by the majority or the administration as "trouble makers".

Some reported procedures at the local level for providing access to information by individual trustees, including written questions which are answered and distributed to all trustees, a question period at each board meeting, and reports requested by resolution of Committees or Board. Some reported being encouraged to seek information directly from the appropriate staff person.

Access to and control of information appeared as a major concern of trustees.

6. Accountability

While participants acknowledged the need for boards to be genuinely accountable to the public, few were satisfied that boards had the necessary tools, and some felt that unless the roles and responsibilities of the board and administration are clarified, real accountability cannot be achieved.

Boards of education are elected to govern the local school system. They determine the facilities, programs, services and resources to be made available to any community and the level of taxation for education within a framework established by provincial statute and policy. As pointed out earlier, the electoral process itself does not provide an adequate method of accountability. While boards must be able to explain and justify their decisions and policies to the public, their accountability for the performance of the school system is necessarily indirect.

What "control mechanisms" are appropriate for trustees to ensure their accountability?

Trustees identified key areas of operations that require monitoring policies or procedures from which indications of satisfactory performance can be obtained. These areas include:

- financial operations, including budgetting, tendering, purchasing, use of external consultants, employee and trustee expense accounts;

- pupil transportation;
- human resource management including hiring and promotion policies, performance appraisal, staff allocation, monitoring of leaves and absenteeism;
- program review and evaluation of student achievement.

Some trustees reported that the establishment of internal audit committees or departments had helped the board and administration to make changes that reduced costs and sometimes improved the delivery of services. Others said that they had few, if any, means of assessing cost effectiveness of operations and had not been encouraged to do so. Some suggested that trustees have been "sloppy" about matters of fiscal responsibility, while others reported that they were unable to obtain certain specific information such as spending on legal counsel, matters under litigation, staff expense accounts, cost overruns, tenders etc. It was suggested that by requiring such information the board may put itself in the position of being directly accountable for matters over which it has no direct control. Rather, boards should have policies that govern such matters and hold the director of education responsible for adherence to the policies and for reporting divergence from them.

In some boards, the trustees reported that they use an extensive budget development process that allows them to gain a good understanding of resource allocation and resource needs in their school systems. They feel confident in making decisions about expansions, cutbacks and tax levies. The opposite experience was reported by a few. A trustee indicated that her board had very little direct involvement in setting the budget and therefore found it difficult to explain or justify its decisions to the public or the school system.

Accountability for educational quality was seen to be particularly problematic for boards. Many trustees believe that the schools are doing a good job, but are not so sure that they know it. Trustees are aware of the growing public concern about quality. Some have experienced emphatic rejection (proposals by professional educators to evaluate educational quality), while others report that the initiatives to monitor standards have come from senior staff rather than trustees.

THREE TRUSTEES RESPOND TO RECOMMENDATION 27

Three trustees of OPSBA member boards were invited to provide their personal responses to Recommendation 27. Paul Bennet is a member of the York Region Board of Education and Chair of the School Board Reform Network, Ian Brown is a member and Chair of the Durham Board of Education, and Fiona Nelson is a member and former Chair of the Toronto Board of Education.

A brief summary of their remarks to the Forum is presented. Many of their observations have been incorporated in the issues section of this paper.

Paul Bennett

Paul Bennett provided a synposis of a paper he prepared for the School Board Reform Network titled Who Sets the School Board Agenda? Options for Education Act Reform.

He starts from the assumption that publicly elected trustees should be "representatives of the people" responsive to the needs of taxpayers and communities. The trustee role as representative is vaguely defined by either practice or the Education Act. He believes that as school boards have evolved into larger, more complex organisations the powers and responsiblities of directors of education and senior administrators have expanded accordingly. A re-examination of the Education Act to clarify the rights, duties and powers of trustees in relation to directors of education is necessary to reinforce the fundamental democratic principle that local control over education is centered in the elected trustees. This intent was made clear in the recommendation of the Select Committee.

Mr. Bennett presented some ideas and proposals for Education Act reform as one starting point for discussion. He outlined the current legal provisions which require the director of education to be the chief executive officer and chief education officer, responsible to the board and legally responsible to the Minister. The Act provides broad powers to the director of education, identifies a list of enumerated duties of school boards and only vaguely or implicitly defines the responsibilities of trustees (members). Bennett refers to legal authorities to conclude that the individual trustee has no legal right to the services of administration, no power to secure legal advice and no right to information other than that available in ordinary public records.

He suggested that most trustees and directors of education support the notion that "local control over education" should be "centered in elected trustees".

Mr. Bennett stated that the current legal framework divides public authority between the board and director of education in a way that often pits one against the other. He believes that reform is needed to clarify legal roles, to strengthen powers of elected trustees, and to ensure that local boards remain accountable to local electors.

He outlined three reform options. The first option described by Mr. Bennett is based on the organisation of municipal government which identifies the warden, reeve or mayor as "the head of council and the chief executive officer of the corporation". Public authority rests in "the head of council", while administrative powers are delegated to an appointed clerk/treasurer and chief administrative officer. Non-elected officials are appointed "at the pleasure of council" and are responsible to that body.

Mr. Bennett raised the following questions: Are school boards and municipal councils comparable or different in their purposes? Would the municipal model provide sufficient "checks and balances"? Do the powers of elected boards still need to be limited or constrained?

The second option is based on the Parliamentary model whereby executive power is vested in the "Governor General in Council". The Governor General acts "by and with the advice" of the so-called "Privy Council" or cabinet of the government. This arrangement holds the appointed head of government responsible to the elected body. Mr. Bennett asks whether revisions to the Education Act which would limit administrative powers and requiring that the Director must "act in council" with the elected board might be applicable.

As Option 3, Mr. Bennett proposes modifications to the current arrangements. He suggests a combination of Option 1 and Option 2 such that the Chair appointed by the board would be the chief executive officer, the legal role of trustees delineated, and the director's powers limited to acting "in council" with the board. He further suggested that the Chair as CEO be required, in law, to act "in council" or "by and with the advice" of the Director or Secretary Treasurer. He stated that such a system would be more democratic but asked what would be its consequences for public education.

Mr. Bennett ended his presentation by quoting a local journalist. "There's no doubt that the director of education has too much power in the school system's administration. But that's not the fault of the director. It's the fault of the legislation which is poorly written and badly outdated".

Ian Brown

Ian Brown noted that the Select Committee's preamble to Recommendation 27 touches on trustees' access to information and their role in major spending decisions. He argued that where conditions of inadequate access to information or insufficient control over expenditures exist, the solution will not be through legislative means but rather through a change of attitude and approach and a tightening of procedures at the local level.

He reminded participants that as trustees are "expendable and transitory", system stability and continuity is provided by the director of education and superintendents. If the ongoing health and strength of the school system is a priority, then it is vitally important for trustees to work closely and cooperatively with senior administration. Mr. Brown stated that this does not require blind aquiescense or the sacrifice of ideals or principles. But it does require that personal or narrow agendas not take precedence over system interests.

Trustees individually have no legal power or authority. They provide knowledge about and representation of communities that is not otherwise available to the board or directors and superintendents. He pointed out that the list of duties and powers required of school boards by the Education Act is short but all encompassing. Trustees do not have and do not need to have the specialised skills to run a school system. Boards are empowered to appoint those that do. To Ian Brown the distinction between the roles of trustees and administrators is clear. Intrusion by trustees into administrative areas and by administrators into policy determination is unwise and detrimental to both the board and its school system.

He pointed out that the Act sets out the duties and responsibilities of the director of education and makes provisions for board action for failure to perform adequately. Mr. Brown advocated the establishment of employment contracts between the board and its director of education so that all terms and conditions are explicit. Mr. Brown reviewed policies of his board which include a rigorous annual performance appraisal process in three stages, approval of a Management Plan, a Leadership Assessment and approval of a System Plan.

He outlined a budget process that allows trustees to feel highly accountable to ratepayers and to claim "ownership" of the final budget. The process takes place over five months with the Finance Committee hearing budget proposals submitted

by a number of staff. The Committee decides which will be included in the budget to be recommended to the full board. In Durham, the board's auditors report directly to a trustee committee.

Ian Brown described policy development as a joint venture between staff and trustees. A consultative process is used to allow comment on a proposed policy before it is finalised for presentation to the board. The board controls programs, to the extent that any board can wrest such control from the Ministry of Education. All decisions about staff complement and programs are made through the budgetary process. No program or staff additions can be made without board approval.

In Mr. Brown's view, Durham trustees have achieved a high level of participation and accountability through the careful selection of the system's leaders. The Board wanted a director of education with strong educational convictions and whose leadership style was collaborative and collegial. This allows differences to be examined and solutions found through compromise and honest discussion. The Chair and Director meet weekly, each with an agenda of concerns and issues to share. The collaborative environment is one that is taking over at all levels of the system.

Mr. Brown reflected on his experience in both psychology and trusteeship and wondered why in times of crisis, trustees circle the wagon and shoot inwards! He identified the need for a change in attitude and approach. In these times of unrest and great change we need more than ever for trustees and administrators to work closely as equal partners, not as competitors or adversaries. He summarised key requirements for effectiveness.

- Be very careful to select the right C.E.O.
- Have a signed and formal employment contract.
- Insist on and implement a comprehensive appraisal system.
- Establish a protocol for ensuring that trustees are kept fully informed.
- Take control and ownership of your budget and policy development process.
- Outline clearly performance expectations for senior staff and for trustees.

If these matters are attended to, Mr. Brown believes that Recommendation 27 is unnecessary.

Fiona Nelson

To reform the relationship between school boards' senior staff trustees, is it necessary to amend the Education Act? Fiona Nelson answers "no". She drew on her experiences as a trustee in coming to that conclusion.

"There have been a lot of changes since I became a member of the Toronto Board of Education in 1969. I want to make it clear that many good programs, diligent staff and excellent facilities have served the students of Toronto for a century and a half. But the active involvement of trustees, teachers, parents and other citizens in the decisions affecting them were resisted, not sought, and were barely tolerated where they could not be resisted. A belief that senior staff must control everything because they knew what was best, a Victorian paternalism, pervaded the system. This may have worked well enough at one point in the past but by 1969, it was clearly no longer good enough for parents, teachers or the citizens of Toronto."

In the sixties, it was the practice for the director of education to be called to the lobby of the Education Centre whenever a trustee showed up to see what the trustee was up to.

While the trustees had at their disposal several limousines with chauffeurs to take them around on "board business" and while the chairman had a large and luxuriously appointed office (with full bathroom) and a private secretary and a personal limo with chauffeur, the entire elected board had virtually no powers which were not at the apparent discretion of the director. Trustees who dug the first shovel full of earth for a new school--used a silver spade. When they cut the ribbon to open a new school--they used silver scissors. When they laid a cornerstone--a golden trowel was thrust into their honoured palms for the task. After board meetings, a sumptuous buffet would be ready to soothe the trustees back into their cocoons of perks and status. And like the dainty nibbling of shrimp after meetings, the trustees' involvement in the real work of education was very carefully restricted to these fringes of power. Certainly when a quartet of trustees went to a music educators convention in Honolulu in 1968 and returned full of enthusiasm for ukuleles, the staff equipped a class with the instruments in order to quiet the fever of the newly arts-conscious board. But generally speaking and on a day-to-day basis, the trustees were well-tended rubber stamps.

Things began to change rapidly after the 1969 elections. Sixteen out of 24 of the trustees were newly elected and most of us were 30 or 40 years younger than those we had replaced. When I asked the director where the trustees' offices were, he asked, "what offices?". When I inquired, "where do the trustees work?", he responded, "what work?". It was not long after that unsatisfactory exchange that a very small office containing two desks, a filing cabinet and a phone became available. From that modest start, we have steadily moved forward, like the camel in the tent, to our present situation. Oh! we've lost the spades, scissors, trowels, limos and shrimps--at our own behest. But here's what now exists at the Toronto Board for trustees, parents, staff and students.

- Board chair, vice chair, and chairs of Standing Committees Review Board agenda with director of education.
- Chairs of Standing Committees develop agenda with officials.
- Many advisory committees with parent, student and teacher, support-staff representatives.
- Periodic Conventions for parents which may make recommendations to the Board.
- Policies provide for parent and teacher representatives in selection of principals and vice-principals.
- Parent meetings provided with child-care and language transaction on request.
- Whole board involved in selection of director of education and associate-directors of education.
- Ward trustees involved in selection of school superintendents.
- Trustees individually may consult with staff, at all levels, on educational matters.
- Each trustee has an office, and telephone number listed in Bell directory.
- Each trustee has an account for the provision of assistance and for newsletters to constituents.
- Secretarial pool of four staff provided for trustees.
- Chair provided with full-time secretarial staff.
- The House Committee, chaired by the vice-chair, deals with issues concerning trustee services and trustee discipline.

Over the past 20 years, trustees have developed a back-bone and a work ethic. On behalf of parents, staff and students, there has gradually evolved a much more collaborative and, incidentally, democratic system for developing, implementing and monitoring the board's policies, practices and procedures. We have done this without a requirement to amend the Education Act.